
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

ROBERTO PEREZ,

Plaintiff,

*versus*JANICE HANSON, *et al.*,

Defendants.

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CIVIL ACTION NO. 9:22-CV-50

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING THE
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff, Roberto Perez, an inmate confined at the Gib Lewis Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Defendants Janice Hanson and Keath Dulenon.

The court has received and considered the Report and Recommendation of the magistrate judge filed pursuant to such order, along with the record, and pleadings (doc. # 4). Plaintiff filed objections to the Report and Recommendation (doc. # 7). This requires a *de novo* review of the objections in relation to the pleadings and applicable law. *See* FED. R. CIV. P. 72(b).

The magistrate judge recommended the case be dismissed pursuant to 28 U.S.C. § 1915(g). While Plaintiff complains of a lack of medical care and/or prompt medical care in his Objections, Plaintiff does not allege he is under imminent danger of death or serious bodily injury. As such, Plaintiff is barred from proceeding *in forma pauperis* and this case should be dismissed.

ORDER

Accordingly, plaintiff's Objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the reports of the magistrate judge are **ADOPTED**. A Final Judgment will be entered in accordance with the recommendation of the magistrate judge.

SIGNED at Beaumont, Texas, this 18th day of January, 2023.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE